



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

FEBRUARY 6, 2006

Commissioner Tom Moss, Chairman
Commissioner Joe Ford, Chairman Pro Tempore
Commissioner Marilyn Loeffel
Commissioner George Flinn
Commissioner John Willingham
Commissioner Walter Bailey, Jr.
Commissioner Julian T. Bolton

Commissioner Deidre Malone
Commissioner Michael Hooks
Commissioner Cleo Kirk
Commissioner Joyce Avery
Commissioner David Lillard
Commissioner Bruce Thompson

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Darren Williams

INVOCATION

Reverend Martha B. Wagley
First United Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

FORD
ADOPTED

January 23, 2006

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

Zoning and Subdivisions

LOEFFEL
ADOPTED
(A-B)

1. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

KIRK ADOPTED	2.	Resolution to approve a contract between IBM Corporation and Shelby County Government, Information Technology Department, for staff augmentation to provide IBM Visualage Pacbase contract developers and to appropriate funds from FY 2005/2006 Operations and Maintenance Budget, Account No. 010-201807-6634, Outside Consultant Fees, in the amount of \$600,000.00.
LILLARD (WITHDRAWN)	3.	Resolution amending the FY 2005/2006 Budget, and appropriating funds in the amount of \$75,373.50 for the joint funding agreement with the City of Memphis for the development of a Storm Water Management Manual from the FY 2005/2006 budget for Account No. 010-200301-6637, Outside Contracts.
LILLARD ADOPTED	4.	Resolution to convey 2,207 square feet (0.0507 acres) of county owned land along with the grant of a temporary construction easement across a tract of land owned by the County of Shelby, located on the south side of Summer Avenue, to the State of Tennessee without monetary consideration, for the widening and improvement of Summer Avenue (S.R. 1).
LILLARD ADOPTED	5.	Resolution to convey 55,757 square feet (1.280 acres) of county owned land along with the grant of a slope easement and a temporary construction easement across a tract of land owned by the County of Shelby, located on the east and west sides of S.R. 3 (U.S. 51) to the State of Tennessee without monetary consideration for bridge widening and roadway improvements to S.R. 1 (U.S. 51).
LILLARD ADOPTED	6.	Resolution to convey 2,591 square feet (0.0594 acres) of county owned land along with the grant of a permanent drainage easement and a temporary construction easement across a tract of land owned by the City of Memphis and County of Shelby located on the north side of Summer Avenue to the State of Tennessee without monetary consideration, for the widening and improvement of Summer Avenue (S.R. 1).
LILLARD ADOPTED	7.	Resolution to convey 10,498 square feet (0.241 acres) of county owned land along with the grant of a slope easement and a temporary construction easement across a tract of land owned by the City of Memphis and County of Shelby located on the east side of S.R. 3 (U.S. 51) to the State of Tennessee without monetary consideration, for bridge widening and roadway improvements to S.R. 1 (U.S. 51).
LILLARD ADOPTED	8.	Resolution to convey 2,757 square feet (0.063 acres) of county owned land along with the grant of slope easement and a temporary construction easement across a tract of land owned by the County of Shelby located on the west side of S.R. 3 (U.S. 51) to the State of Tennessee without monetary consideration, for bridge widening and roadway improvements to S.R. 1 (U.S. 51).
THOMPSON ADOPTED	9.	Resolution approving Inter-Local Mutual Aid Service Agreement for fire, rescue and EMS services between Shelby County Government and the City of Germantown and authorizing the county mayor to execute same.

**WILLINGHAM
ADOPTED**

10. Resolution to amend the FY 2006 Capital Improvement Program to provide \$274,935.00 for Convention Center Capital needs.

**MALONE
ADOPTED**

CONSENT AGENDA

R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

**FORD
(DEFERRED
TO 02/20/06)**

11. Resolution to appoint/reappoint members to the Shelby County Beer Board.

**FORD
ADOPTED**

12. Resolution approving the County Mayor's nomination of Robert D. Olsen for appointment to the Memphis and Shelby County Center City Commission.

**FORD
ADOPTED**

13. Resolution to appoint a Judicial Commissioner and set the term of appointment.

Ordinances

**THOMPSON
(DEFERRED
TO 02/20/06)**

14. **ORDINANCE – THIRD READING** – An Ordinance to amend Ordinance No. 260 entitled “An Ordinance to amend Chapter 7, Article XI, of the Code of Ordinances of Shelby County, Tennessee,” relative to police emergency alarm services.”

Zoning and Subdivisions

**LOEFFEL
(DEFERRED
TO 02/20/06)**

15. **CASE NO. P.D. 05-345 CC**
APPLICANT: Grey's Hollow, LLC

LOCATION: Southeast corner of Walnut Grove Road and Bazeberry Road

REQUEST: Mixed use planned development consisting of residential, office and commercial uses within the Plan

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL WITH CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, October 14, 2005.)

LOEFFEL
(DEFERRED
TO 02/20/06)

16. CASE NO. S 05-061 CC
APPLICANT: Fred Elam
- LOCATION: 13.17 acre parcel of property, north side of Smithson Trail
- REQUEST: Appeal to overturn the action of the Land Use Control Board approving Condition #1 and Design Modification #2 for the preliminary plan of the Macon Way Subdivision, First Addition.
- Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL SUBJECT TO
CONDITIONS AND DESIGN
MODIFICATIONS
- Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL SUBJECT TO
CONDITIONS AND DESIGN
MODIFICATIONS
- (No notice of public hearing in newspaper of general circulation required; however, notice letters to interested property owners mailed on Friday, January 27, 2006.)

Reports and/or Resolutions for Standing Committees

WILLINGHAM
ADOPTED

17. Resolution approving Mediation Settlement Agreement in the case of Morgan & Thornburg, Inc. VS. M.A. Mortenson Company, et al, U.S. District Court Docket No. 05-2109 and resolving all of any construction claims relative to the construction of the Fedex Forum.

BOLTON
(DEFERRED
TO 02/20/06)

18. Resolution by the Board of County Commissioners of Shelby County, Tennessee, expressing support for Senate Bill No. 2197 and House Bill No. 1715, relative to predatory lending to the extent as set forth in this resolution.

BOLTON
(DEFERRED
TO 02/20/06)

19. Resolution directing the County Administration and County Attorney's Office to prepare any and all documents, resolutions, ordinances and/or legislation deemed necessary to implement the recommendations of the "PILOT Evaluation Program Project: From URS Corporation and Nexgen Advisors" dated December 1, 2005.

BOLTON
ADOPTED

- 19A. Resolution directing the County Attorney's Office to gather all ethics policies and laws applicable to any and all County elected officials, and/or employees, to summarize those existing policies, and to make recommendations to increase the enforcement ability of those policies.

Announcements/Statements

Adjournment

- THOMPSON
ADOPTED

20. Resolution of Adjournment to February 20, 2006, at 1:30 p.m.

AGENDA # 1
FEBRUARY 6, 2006

1A

SUBDIVISION: LAUREL TREE II P.D. (P.D. 05-326 CC)

DEVELOPER: LAUREL TREE, LLC

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO LAUREL TREE II P.D. (P.D. 05-326 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF HOLMES ROAD ±1300 FEET EAST OF HACKS CROSS ROAD

1B

SUBDIVISION: WOLF CREEK SUBDIVISION (S 04-037 CO)

DEVELOPER: PPM REALTY

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO WOLF CREEK SUBDIVISION (S 04-037 CO) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: SOUTH SIDE OF MILLINGTON ROAD AT BARNETT COVE

[If you have questions regarding the Agenda, please call Steve Summerall, Chief Administrator, at 545-4301.]